

U. S. STEEL VICTOR

FEDERAL COURT AT TRENTON, N. J., RULES CORPORATION NEED NOT DISSOLVE.

SUIT FILED FOUR YEARS AGO

Two Opinions Are Filed by Judges—Volume of Business Done Held by Tribunal to Be Not of What Constitutes an Illegal Pool.

Trenton, N. J., June 5.—The decision in the United States Steel corporation suit filed in the United States district court here on Thursday holds that the corporation should not be dissolved. The principal points in the decision are:

It refuses to issue any injunction.

It holds the foreign trade of the Steel corporation is not a violation of the Sherman law.

It holds certain price fixing agreements which followed the Gary decisions, but which stopped before the bill was filed, to have been unlawful.

It allows the government to move to retain jurisdiction of the bill if such price fixing practices are renewed, but suggests matters may now be controlled by the new trade commission.

The suit against the United States Steel corporation was filed October 26, 1911, during the trial of administration and was started by George W. Wickersham, who was attorney general.

The opinions, two in number, are largely a discussion of whether the steel trade or deal unfairly with competitors or purchasers.

"This case, a proceeding under the Sherman antitrust law, is one largely of business facts," says the opinion.

It declares all the trust cases so far determined settled down to this, that only such combinations are within the Sherman act as by reason of the intent of those forming them or the inherent nature of their contemplated act wrong the public by unduly restricting competition or unduly obstructing the course of trade.

The test of monopoly, the opinion says, is not the size of that which is acquired but the trade power of that which is not acquired.

With the completion of the Erie canal, Lake Superior can be brought cheaper to New York harbor than to Pittsburgh. This means, the opinion says, that business on New York harbor waters. On the basis of the actual iron units in iron, Cuban ores can be delivered in Philadelphia at one-half the cost of Lake Superior.

Facts and figures show that there is no possibility of Lake Superior ore monopoly.

The Cambria Steel company president, the opinion said, showed that the United States Steel could put it out of business.

James R. Garfield, former secretary of commerce, according to the opinion, showed the Steel corporation got no freight rebates.

There were two opinions filed in the case. Judge William C. Coker, the opinion which was concurred in by the other three judges, Judge Woolley also wrote an opinion concurring.

"At the views of Judge Buffington, and this latter opinion was concurred in by Judge Hunt, now sitting in the United States court in New York city."

Other points in the decision are:

"The field of business enterprise in the steel business is as open to and being as fully filled by the competitors of the Steel corporation as it is by any company."

No testimony has been produced in this record that a return to the old trade war system of ruinous competition would, as a matter of fact, benefit the public interests.

In taking up this question we dismiss once and for all the question of mere volume of business of business. The question before us is not how much business was done or how large the company that did it; the vital question is, how was the business, whether big or little, done; was it, in the test of the Sherman act, by unduly restricting or unduly obstructing trade? The question is one of undue restriction or obstruction and not of undue volume of trade.

If mere volume were the test of monopoly and trade restraint, we have not only in the United States but in the world a large number of monopolies in the large department stores of a single city.

"A study of those proofs satisfies us that the United States Steel corporation could not have been formed unless the minds of two men had united in a common purpose. These two men were J. Pierpont Morgan and Andrew Carnegie."

Undoubtedly it will be appealed to the Supreme court of the United States, because the government would be unwilling to leave such questions as were raised unsettled except by the highest court in the land.

French Lose Six Aeroplanes.

Copenhagen, June 4.—According to Berlin dispatches, of the eighteen French aeroplanes which recently raided Ludwigsburg on twelve returned. Two were compelled to make a landing and four were shot down.

None From U. S. Die in Raid.

London, England, June 4.—Details of the Zeppelin raid over London are still being withheld from the public on account of the rigid censorship, it was announced, however, that of the four dead none was an American.

Big Review Costs \$28,000.

New York, June 3.—The total cost of New York city's entertainment of the Atlantic fleet during its recent visit and review here ending May 18 was \$28,000. The city gave \$10,000 and the public \$27,000.

Majestic's Officers Saved.

London, June 2.—Official announcement was made by the admiralty that all the officers of the British battleship Majestic, sunk by a German submarine at the Dardanelles, had been saved.

Grey's Sight Fails.

London, June 2.—Sir Edward Grey, secretary for foreign affairs, has been advised by his physician to leave his post to rest his eyes, as his sight has been failing. Lord Crewe has taken charge of the foreign office.

Jail for Killing Strikers.

New Brunswick, N. J., June 2.—Nine deputy sheriffs who have been on trial here on the charge of murder and for killing two strikers at Roosevelt and wounding a score, were convicted of manslaughter.

LONDONERS IN RIOTS

CROWDS BREAK OUT IN ANTI-GERMAN DEMONSTRATIONS.

SUIT FILED FOUR YEARS AGO

People Incensed by Zeppelin Raid—Ninety Missiles Dropped, Four Persons Killed, Fires Started.

London, June 3.—As a result of the Zeppelin raid the anti-German rioting broke out again in London on Tuesday.

When it was officially announced that German flyers had dropped 90 bombs, killing four persons, injuring others and starting many fires in the attack, angry mobs surrounded the premises of persons suspected of being of German nationality in Shore-ditch, and attacked the shops which were smashed in the previous rioting and had since been barricaded.

In one case the occupants fled when the mob approached, and were pursued by the infuriated crowd.

A special constabulary has been called out in an attempt to check the outbreaks.

In Piccadilly Walk three shops were attacked. A baker's shop in Pearson street, raided a fortnight ago, was destroyed by an angry crowd composed chiefly of women.

The statement of the authorities on the Zeppelin raid reads:

"Late Monday night about ninety bombs, mostly of an incendiary character, were dropped from hostile aircraft in various localities not far distant from each other. A number of fires, of which only three were large enough to require the services of fire engines, broke out. All of them were promptly and effectively dealt with. The fires all were caused by the incendiary bombs referred to."

"No public building was injured, but a number of private premises were damaged by fire or water."

"The number of casualties is small, so far as has at present been ascertained. One infant, one boy, one man and one woman were killed, and another woman was so seriously injured that her life was despaired of."

"A few other private citizens were seriously injured, but the precise number has not yet been ascertained."

Berlin, June 3.—The official report of the Zeppelin attack on London follows:

"As a reprisal for the bombardment of the open town of Ludwigsburg, we threw numerous bombs on Monday night on wharves and docks of London. Enemy aircraft bombarded Ostend, damaging some houses without causing any other injury."

Albany, N. Y., June 1.—"Give my regards to the man who made me kill my wife," shouted Vincenzo Buonemano as he went to his death in the electric chair. Buonemano was convicted of murdering his wife during a fit of jealousy on April 26, 1914. Up to a few hours before the end he had been raving and trouble was feared, but under the ministrations of Father Kohn, an Italian priest, he went to the chair calmly.

Philadelphia, June 3.—Mrs. C. H. Vanderbeck of the Philadelphia Cricket club won the championship of the Women's Eastern Golf association at the Merion Cricket club. After a poor start she turned in a score of 92 for the day's round of eighteen holes. The round was played in a heavy rain.

Richmond, Va., June 3.—With the selection of Birmingham, Ala., as the place for the 1916 Olympic games, the selection of Gen. Bennett H. Young of Louisville, Ky., as commander in chief, the business session of the twenty-fifth annual reunion of the United Confederate Veterans came to an end.

Milan, June 3.—Isabel Wade, thirty-seven years old, said to be from Chicago, is under arrest here. She is charged with being the accomplice of a Bavarian officer under arrest for espionage.

Three Zeppelins Stormed, Radom Evacuated and City of Stry Captured by Teutons.

Berlin, June 3.—Tremendous gains against the Russians are announced in reports received here on Tuesday. These include: Storming of three fortresses before Przemyśl; Russian evacuation of Radom in Poland; capture of Stry, south of Lemberg; capture of 24,700 prisoners taken on the Niemen in May; total prisoners taken on eastern front, 10,532.

An official German statement issued here tells of the successful storming of forts 10-A, 11-A and 12 west of Dunikowicki, which constitute part of the outer defense of Przemyśl, and of the capture of 1,400 men, together with eighteen heavy and five light cannon.

Pay \$500,000 Liner Risks.

London, June 3.—English insurance companies have paid claims amounting to \$500,000 in connection with the loss of life by the sinking of the Lusitania. This represents the sum payable on about 350 lives.

Calls Women Inconsistent.

Portland, Ore., June 3.—Mrs. J. D. Sherman of Chicago, speaking before the Women's Club, declared that "just as long as women wear feathers on their hats will they be open to the charge of inconsistency."

Spain Has Speedy Airship.

Madrid, June 4.—The trial will shortly take place of a new Spanish dirigible, which cost \$100,000. It is the invention of Francisco Sola and carries 15 motors of the aeroplane type, giving it a speed of 90 miles an hour.

England Closes the Thames.

Washington, June 4.—The King of German submarines about England apparently has been tightened, according to admiralty orders restricting the mode of entering the River Thames, transmitted here.

Liner Aquitania Is Ashore.

New York, June 2.—That the former Cunard liner Aquitania, now an auxiliary cruiser in the British navy, went ashore in the Mersey on May 19 while loaded with troops for the Dardanelles was the information brought here.

Turks Routed, Britain Says.

London, June 3.—Heavy fighting on Gallipoli peninsula, resulting in the rout of the Turkish forces, is announced in an official statement given out here. The casualties on the Turkish side were 2,409. The British 300.

PRZEMYSL IS TAKEN

GALICIAN STRONGHOLD FALLS UNDER POUNDING OF TEUTONS' BIG GUNS.

GREAT VICTORY OR ROUT

Gateway to Dual Empire Is Cleared as Czars Men Retreat—City Was Captured by Russian Army in March Last.

Vienna, June 4.—Przemyśl is again an Austrian hands, according to official announcement made here.

With the Galician stronghold in their hands, the Austrians and Germans have concluded the first phase of their new Galician campaign, which was launched in the drive from Cracow.

Despatches from the Austrian front to Vienna indicate that the attacking forces relied largely on their heavy guns, which they have used effectively all through their advance across Galicia. These despatches say the Russians had removed men and supplies from Przemyśl in anticipation of its fall, and that they considered it not improbable they would lose Lemberg as well.

In the ten weeks which have elapsed since the capture of the fort by the Russians, the Austrians and Germans have made every effort to retake the fortress, large forces being diverted for this purpose from the other great fortress to the west, Cracow.

Przemyśl, about which has centered the most dramatic epoch of the war in the East, was taken by the Russians on March 22 after a siege of six months.

The siege of the famous Austrian stronghold began early in September. It was relieved about October 10, but the Russians came back a few days later and resumed the investment.

The ring of forts surrounding the city has a circumference of 75 miles and a force of 120,000 Russian troops. A large complement of cavalry and heavy artillery was constantly employed during the attack.

During the last week of the Russian siege a 24-hour cannonade was conducted by the defenders. This was followed by a sortie in force, which resulted in sanguinary fighting.

The Russian artillery fire increased in volume during the last few days and immediately before the capitulation it was said that the czar's guns had dropped 10,000 shells into the circle of the forts in two hours.

According to figures furnished the Russians by Field Marshal Kusanank, Austrian commander of the fort, 120,000 men surrendered to the besiegers. The garrison originally had consisted of 170,000 men, of whom 40,000 were killed and 10,000 escaped. Nine general staff officers of the Russian staff, and 2,500 officers and officials were among those captured.

The Russians were unable to follow up the advantage given them in the surrender of the fort. During the last week it became evident that a retreat to the Russian frontier was in progress.

The arrival of German 42-centimeter Krupp's of the type which battered Liege and Namur hastened the evacuation.

Troop and supply trains which previously had been used to bring supplies to Przemyśl were hurriedly dispatched to Lemberg. The construction of additional forts about Lemberg also was discontinued and supplies from the Lemberg magazine were carried eastward to places of safety.

Przemyśl is 40 miles west of Lemberg and the key to the Austrian empire. It has a population of about fifty thousand.

HOPE SEEN FOR SETTLEMENT

German Ambassador Led by President to Ask Berlin to Grant Life-Saving Demand Over Submarines.

Washington, June 4.—There is hope in presidential circles that the dispute between the United States and Germany can be amicably settled. This hope is based on a heart-to-heart conversation which President Wilson had on Wednesday with Count von Bernstorff, the German ambassador, lasting half an hour. The president found the ambassador courteous and friendly, apparently eager to find a solution which would satisfy the United States.

The president notified the ambassador that he would expect an assurance of security for innocent human life on the high seas from the German government and promised not to dispatch his reply to the German note until the answer had been received.

Count von Bernstorff sent a resume of the president's requirements and observations to Berlin, accompanying them with a strong recommendation that they be carefully and favorably considered.

Steel Mills Busy.

Pittsburgh, June 5.—Col. H. P. Hope, first vice-president of the Carnegie Steel company, is quoted as saying that the company is operating its plants throughout the country at 95 per cent of their capacity.

Saves U. S. From War.

Philadelphia, June 4.—"If we had had a Jingo in the White House," said William H. Taft in an address at the commencement of Bryn Mawr college, "this country would now be at war with Germany."

Ad Wolgast Given Beating.

New York, June 4.—Leach Cross took Ad Wolgast, the Michigan wildcat, on the ten round men Wednesday night at the St. Nicholas rink and incidentally handed the old champion a terrible trouncing.

Woman Gets High Degree.

New York, June 4.—For the first time in its history Columbia university conferred upon a woman the degree of doctor of laws. The recipient was Miss Louise Lee Schuyler, a philanthropist.

Joel Foster Pleads Guilty.

Mobile, Ala., June 3.—Joel H. Foster, a millionaire poultry man of New Jersey, entered a plea of guilty to a statutory charge in the city court and was fined \$100. Foster was arrested at a hotel with Delilah Bradley.

American Launch Fired On.

San Diego, Cal., June 3.—The American fishing launch America arrived here speckled with bullet holes and received the crew said, at Santa Barbara bay, 15 miles southeast of Ensenada, Lower California.

DE PALMA THE WINNER

DRIVES HIS MERCEDES CAR 500 MILES IN 5:33:55.50.

THE FINISH.

No. Time. Ave. 2—DePalma 5:33:55.50 89.84 3—Resta 5:37:24.14 89.28 4—Cooper 5:42:37.57 87.60 15—O'Donnell 6:08:13.27 81.47 16—Burman 6:15:19.61 80.36 1—Wilcox 6:16:39.21 79.65 10—Alley 6:16:57.94 79.58 19—Gheghe 6:19:24.14 78.96 7—Van Raalte 6:25:33.42 75.98 Indianapolis, June 2.—Ralph DePalma, driving one of the most spectacular races ever seen on any American automobile track, won the fifth annual revival of the International Sweepstakes 500-mile race at Indianapolis on Monday when he drove his Mercedes to victory over the classiest field which ever has been seen in the race.

In winning the race, DePalma clipped more than half an hour off the old record, going the route in 5:33:55.50, an average of 89.84 miles an hour. The old record was 6:03:55.50, an average of 82.47 miles an hour, made a year ago by Rene Tharaud in a Delahaye.

Close behind DePalma came Dario Resta, winner of the Vanderbilt and Grand Prix races this year. Less than three laps separated these two Italian rivals and the duel between them had been in progress all day. It was DePalma's greater experience and better racing brain that told the story.

DePalma virtually ran Resta to death on two occasions, once when he refused to regain a lost lead and the other when Resta was trying to do the same thing. On both occasions DePalma jockeyed with his Anglicized compatriot and on both occasions he made Resta overstep the bounds of safety for himself.

After the race he was content with third and fourth places. Gil Anderson taking third with a Stutz, while Earl Cooper took fourth with another Stutz.

German Flyers Seen Over Suburbs and Nearby Towns—Many Fires Reported.

London, June 2.—The official press bureau issued the following announcement Monday morning:

"Zeppelins are reported to have been seen near Ramsgate (on the Kentish coast, sixty-seven miles east-southeast of London) and Brentwood (seventeen miles east-northeast of London), and in certain outlying districts of London. Many fires are reported, but these cannot be absolutely connected with the airship visits."

Prior to giving out the above communication the official press bureau issued a notice reminding the newspapers that the interest of public safety is paramount and that no statement whatever should be published dealing with places in the neighborhood of London reached by air craft or the course supposed to be taken by them.

It was added that an admiralty communication would give all the information which might properly be published.

ORDERS TO COLORADO MILITIA

Officers Ordered by Washington to Get Companies in Pink of Condition.

Denver, Colo., June 3.—Colorado militia officers received special orders from Washington to get their companies in the pink of condition and immediately bring the equipment up to the required minimum standard. In case of war Colorado would be expected to raise the standard to the maximum and put into the field 3,300 men. Officers of the United States army, which President Wilson had court-martialed in case they discuss the war situation with anyone outside the army service. General Chase said immediate steps would be taken to fulfill the orders from Washington and the desired equipment will be acquired at once.

ILLINOIS RETURNS WAR FLAG

Banner Captured From the Confederates Is Given Back to Tennessee Regiment.

Nashville, Tenn., June 4.—At Confederate Decoration day exercises at Murfreesboro, Tenn., the battle flag of the Eighteenth Tennessee Infantry was formally returned to representatives of the state of Illinois. It was captured at Fort Donelson and has since been at Springfield, Ill. It was returned by L. W. Armstrong and David S. Brown of Peoria, Ill., and accepted by the survivors of the regiment.

Pipe Prices Up \$10 Per Ton.

Pittsburgh, June 5.—An increase of \$10 a ton in the price of galvanized pipe, the biggest jump ever made at one time, was announced on Thursday by manufacturers in the Pittsburgh district.

Thirty Injured in Wreck.

Bloomington, Ill., June 3.—Thirty men and women, passengers on Chicago & Alton train No. 70, were injured when the fast train was derailed near Minier, Ill., 12 miles south of here.

Victory Won by the Wets.

Washington, June 3.—The conviction of a British and German government in violation of the law was set aside by the Supreme court as an improper interference with interstate commerce.

5,906,532 in Gotham, Claim.

New York, June 2.—Estimates began a decennial census of the population of the state. It was estimated that the count would show a total of 10,200,000. The population of New York city was estimated at 5,906,532.

Mexican Famine Desperate.

Washington, June 2.—Bread riots continue in Mexico City and the situation is growing more desperate, according to foreigners reaching Vera Cruz from the capital. Consul Sullivan reported to the state department.

Germans Killed by Bombs.

Amsterdam, June 2.—Forty-four German soldiers were killed and thirty wounded in a raid on the German aerodrome at Gottrode between Obent and Brussels. The raid was carried out by two of the allies' aviators.

MEXICO IS WARNED

PRESIDENT WILSON SENDS NOTE TO LEADERS WHICH DEMANDS PEACE.

SAYS ANARCHY MUST END

Message Says Unless Government Powers Can Recognize Is Set Up Soon U. S. Will Use Means to Save Starving People.

Washington, June 4.—President Wilson on Wednesday served warning on the leaders of the various factions in Mexico "to act together and to act promptly for the relief and redemption of their prostrate country" or the United States "will be constrained to decide what means should be employed in order to help Mexico save herself and serve her people."

The president's statement is addressed to the American people.

"For more than two years revolutionary conditions have existed in Mexico. The purpose of the revolution was to rid Mexico of men who ignored the constitution of the republic and used their powers in contempt of the rights of its people; and with these purposes the president of the United States instinctively and generously sympathized. But the leaders of the revolution, in the very hour of their success, have disagreed and turned their arms against one another. All professing the same object, they are nevertheless unable or unwilling to co-operate. A central authority at Mexico City is no sooner set up than it is undermined and its authority denied by those who were expected to support it."

In circumstances the president and government of the United States cannot stand indifferently and do nothing to serve their neighbor. They want nothing for themselves in Mexico. Least of all do they desire to settle her affairs for her, or to claim any right to do so. But neither do they wish to see utter ruin come upon her and they deem it their duty as friends and neighbors to lend any aid they properly can to any instrumentality which promises to be effective in bringing about a settlement which will embody the real objects of the revolution—constitutional government and the rights of the people."

"It is time therefore that the government of the United States should frankly state the policy which it believes to be the wisest in the circumstances. It becomes its duty to adopt. It must presently do what it has hitherto done, or felt at liberty to do, and its active moral support to some man or group of men, if such may be found, who can rally the suffering people of Mexico about a program in an effort to ignore, if they cannot unite, the warring factions of the country, return to the constitution of the republic so long in abeyance and set up a government at Mexico City which the great powers of the world can recognize and deal with as a government with which the program of the revolution will be a business and not merely a platform. I therefore, publicly and very solemnly call upon the leaders of factions in Mexico to act together and to act promptly for the relief and redemption of their prostrate country. I feel it to be my duty to tell them that, if they cannot accommodate their differences and unite with this great purpose within a very short time this government will be constrained to decide what means should be employed by the United States in order to help Mexico save herself and serve her people."

SPYER LANDS IN NEW YORK

Baronet, Who Resigned After Charges of Disloyalty, Comes to America for Vacation.

New York, June 4.—Sir Edgar Speyer, the English baronet who recently resigned his privy councillorship of Great Britain, divested himself of other offices and honors and has sought the prime minister to revoke his baronetcy because of growing suspicions and charges of disloyalty to the British crown, arrived in New York aboard the American liner Philadelphia.

With Sir Edgar came his wife and family. Before sailing from Liverpool, May 26, Sir Edgar said he expected to take the trip as part of a short holiday and would be accompanied by the bodies of eight victims of the Lusitania tragedy.

Philip Klein, son of Charles Klein, the playwright, who died when the Lusitania went down, was a passenger aboard the Challenger, which also carries the Dreyfus American vice-consul at Berlin, and Raymond T. Baker of the American embassy at Petrograd.

When the Philadelphia left Liverpool it avoided the usual sailing lanes.

10,000 Canadians Landed.

Ottawa, June 4.—More than ten thousand Canadian soldiers were landed safely in England during the last week, not a submarine being sighted. There are now nearly fifty-five thousand Canadians with the allies.

Earthquake in Bavaria.

Amsterdam, June 4.—An earthquake shock is reported from Munich, Bavaria. The earth tremors began at 3:35 o'clock and were very severe, destroying instruments in the observatory and shaking buildings.

To Protect Buildings.

London, June 4.—It is reported that an agreement has been arranged between the British and German governments for the protection of specified buildings. These buildings include museums, churches and hospitals.

Turks Still in Retreat.

Petrograd, June 4.—The Turkish army in the Vilayet of Van, Armenia, is still retreating before the Russians. It is officially announced in a statement on operations on the Transcaucasian frontier.

Russ Plan Road to Arctic.

Petrograd, June 4.—The council of ministers has sanctioned the construction of a railroad, to cost \$8,500,000, from Khabarsk, in the province of Archangel, across the Kola peninsula to the port of Kola, on the Arctic ocean. This new line will connect the Arctic with the railroad system of Russia and give another outlet to a Russian passenger on the north.

The port of Archangel is more than 300 miles farther south than Kola. Archangel is now open to navigation.

COURT OFFICIALS IN COLUMBUS

OFFICIALS GO TO CAPITAL—MACHINERY TRANSFERRED TEMPORARILY.

SEVERAL IMPORTANT CASES

Claim Tax Arrears of More Than Million Dollars—Judge Sater Presiding.

Western Newspaper Union News Service.

Columbus.—The headquarters of the machinery of the Federal Department of Justice in the Southern district of Ohio will remain in Columbus temporarily from Cincinnati to Columbus, District Attorney McPherson, Assistant District Attorney Coffin and Thomas Sheehan, McPherson's secretary; Deputy Clerk Frank Hight, and United States Marshal Devaney were all in the Ohio capital to attend the summoning of the grand jury and the opening of the June term